

AAFAF Hearing Exhibit 3

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, THE
EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF
PUERTO RICO, AND THE PUERTO RICO PUBLIC
BUILDINGS AUTHORITY,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**NOTICE OF SUBMISSION OF
PLAN SUPPLEMENT AND PLAN RELATED
DOCUMENTS BY THE COMMONWEALTH OF PUERTO RICO, ET AL.**

PLEASE TAKE NOTICE that the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the representative of the Commonwealth of Puerto Rico (the “Commonwealth”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), and the Puerto Rico Public Buildings Authority (“PBA”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”)² and Section 1.395 of the *Seventh Amended Title III Joint Plan of Adjustment of*

1 The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations)

2 PROMESA is codified at 48 U.S.C. §§ 2101–2241.

the Commonwealth of Puerto Rico, et al. [Case No. 17-BK-3283-LTS, ECF No. 17627] (as may be further amended, modified, or supplemented, the “Plan”),³ has filed the *Plan Supplement and Plan Related Documents of the Commonwealth of Puerto Rico, et al.* (the “Plan Supplement”), a copy of which is attached hereto as Exhibit A, containing documents listed on Schedule 1 hereto (collectively, the “Plan Related Documents”).

PLEASE TAKE FURTHER NOTICE that the Plan Related Documents remain subject to negotiations with parties in interest, and the Oversight Board, the Commonwealth, ERS, and PBA reserve the right to amend, modify, or supplement any of the Plan Related Documents up to and including the entry of an order confirming the Plan (and, in conjunction therewith, approval of the Plan Related Documents).

PLEASE TAKE FURTHER NOTICE that the rights of all parties in interest, including, but not limited to, the Oversight Board, the Commonwealth, ERS, and PBA, and the other parties to the GO/PBA Plan Support Agreement, ERS Stipulation, HTA/CCDA Plan Support Agreement, PRIFA Plan Support Agreement, Creditors’ Committee Agreement, Retiree Committee Plan Support Agreement, and AFSCME Plan Support Agreement, with respect to the form of the Plan Related Documents, are expressly preserved and the exercise or waiver of any consent rights are expressly preserved.

PLEASE TAKE FURTHER NOTICE that all documents filed in these Title III cases are available (a) free of charge by visiting <https://cases.primeclerk.com/puertorico> or by calling +1 (844) 822-9231, and (b) on the Court’s website at <http://www.prd.uscourts.gov>, subject to the procedures and fees set forth therein.

³ Capitalized terms used but not defined herein shall have the meanings given to them in the Plan.

Dated: October 11, 2021
San Juan, Puerto Rico

Respectfully submitted,
/s/ Brian S. Rosen

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Schedule 1

List of Exhibits in the Plan Supplement⁴

Exhibit A:	New GO Bond Trust Agreement
Exhibit B:	CVI Trust Agreement
Exhibit C:	Avoidance Actions Trust Agreement
Exhibit D:	ERS Trust Agreement
Exhibit E:	Schedule of Executory Contracts and Unexpired Leases to be Assumed
Exhibit F:	Supplemental Ambac Election Notice
Exhibit G:	Assured Custodial Trust Documents
Exhibit H:	FGIC Custodial Trust Agreement
Exhibit I:	Syncora Custodial Trust Documents
Exhibit J:	Draft Legislation as approved by the House of Representatives of Puerto Rico ⁵
Exhibit K:	Draft Legislation as approved by the Senate of Puerto Rico ⁶

⁴ The Plan Related Documents remain subject to negotiation with parties in interest and the rights of all parties in interest, including, but not limited to, the Oversight Board, the Commonwealth, ERS, and PBA, and the other parties to the GO/PBA Plan Support Agreement, ERS Stipulation, HTA/CCDA Plan Support Agreement, PRIFA Plan Support Agreement, Creditors' Committee Agreement, Retiree Committee Plan Support Agreement, and AFSCME Plan Support Agreement, with respect to the form of documents contained in the Plan Supplement, are expressly reserved and the exercise or waiver of any consent rights are expressly preserved.

⁵ The annexed draft legislation, passed by the House of Representatives of Puerto Rico provides for the issuances of the general obligation bonds and the contingent value instruments, and is required to be included in the Plan Supplement. However, as set forth in a published statement of the Oversight Board, see Oversight Board Statement, dated October 8, 2021, the Oversight Board does not support the current version of the draft legislation, asserts that it is inconsistent with the proposed Plan, and reserves all rights in connection therewith.

⁶ The annexed draft legislation, passed by the Senate of Puerto Rico, provides for the issuances of the general obligation bonds and the contingent value instruments, and is required to be included in the Plan Supplement. However, as set forth in a published statement of the Oversight Board, see Oversight Board Statement, dated October 8, 2021, the Oversight Board does not support the current version of the draft legislation, asserts that it is inconsistent with the proposed Plan, and reserves all rights in connection therewith.

Exhibit A

Plan Supplement

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